

Docket No.: 3095-004

DT05 Rec'd PCT/PTO 30 JUL 2002

PATENT #5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

HATTACHARYYA, DEBASIS *et al.*

Application Number 09/937,850

Filed: September 28, 2001

Attention: OIPE

For: A MULTI-STAGE SELECTIVE CATALYTIC CRACKING PROCESS AND A SYSTEM
FOR PRODUCING HIGH YIELD OF MIDDLE DISTILLATE PRODUCTS FROM HEAVY
HYDROCARBON FEEDSTOCKS

Honorable Commissioner of Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Sir:

This is in response to the Notice of Missing Parts of Application dated February 16, 2002. Please note that the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States designated/elected office (DO/EO/US) was not received in our offices until March 20, 2002, over one month from the mailing date. It is believed that this document was held in the US Postal Service for decontamination at the time of the anthrax scare. A call was placed to Charitta A. Burt in the New Applications Department of the USPTO to request a new start date for the Notice. Ms. Burt informed us that there was no need to restart the notice with a new date. Ms. Burt assured us that if we submit the documents that are due together with an explanation, the USPTO would waive the extension of time fee. Therefore we request that no fee be charged for this extension of time. However if a fee and petition for extension of time is required please accept this as petition thereof and charge the undersigned attorney's Deposit Account 07-1337.

Submitted herewith is the executed declaration for the above-captioned application.

Please note that the fee of \$1,130.00 was paid when the above referenced case was filed. This fee included the Basic National Fee of \$1,000, the surcharge for filing a late declaration of \$130. Please note that there was a preliminary amendment filed with this case on September 28, 2001, in which the specification and claims were amended. The preliminary amendment requested that these amendments be entered prior to prosecution and prior to calculation of the filing fee. Enclosed herewith please find our check for \$18.00 for the one (1) extra dependant claim. With the fee

MPEP §710.06 sets forth the requirements for resetting a period for reply due to late receipt of an office action. A petition to reset the time period for reply must be (1) filed within two weeks of receipt of the office action, (2) demonstrate significant delay, (3) present evidence, (4) state when the communication was received and (5) be signed.

Items (2)-(5) have been met. More than half of the time period set for reply had elapsed. Applicant has provided a copy of the original communication with the law office's receipt stamp attached to it and states that the communication was received on that date. Finally, the petition is signed by a practitioner registered to practice before the Office.

Item (1) has not been satisfied. The petition was filed on 30 July 2002, though the Notification of Missing Requirements was received 20 March 2002.

The fee for a four month extension of time will be charged to deposit account no. 07-1337, as authorized by the petition.

CONCLUSION

For the above reasons, applicant's petition under 37 CFR 1.181 is **DISMISSED** without prejudice.

The application has an international filing date of 12 November 1998 under 35 U.S.C. §363 and a date of 30 July 2002 under 35 U.S.C. §371. This application is being forwarded to the National Stage Processing Division of the Office of the PCT Operations for continued processing in accordance with this decision.



Leonard E. Smith
PCT Legal Examiner
PCT Legal Administration



Erin M. Pender
Attorney Advisor
PCT Legal Administration

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FEE VALUE	
ACCOUNTABILITY	
DEPOSIT	0.
FEE CODE	118 1440



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20533
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/937,850	Debasis Bhattacharyya	3095-004

INTERNATIONAL APPLICATION NO.

PCT/IN00/00013

LA. FILING DATE

PRIORITY DATE

02/16/2000

Michael G Gilman
 Lowe Hauptman Gilman & Berner
 1700 Diagonal Road Suite 310
 Alexandria, VA 22314

RECEIVED

MAR 20 2002

Lowe, Hauptman, Gilman & Berner

CONFIRMATION NO. 7108

371 FORMALITIES LETTER



OC000000007321006

Date Mailed: 01/31/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- U.S. Basic National Fees
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Substitute Specification

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Additionally the following defects have been observed:

- Additional claim fees of \$458 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$458** for a Large Entity:

- Total additional claim fee(s) for this application is **\$458**
 - **\$80** for 1 independent claims over 3.
 - **\$378** for 21 total claims over 20.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 305-3734

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/937,850	PCT/IN00/00013	3095-004

LOWE, HAUPTMAN GILMAN & BERNER - 1700 Diagonal Road, Suite 310, Alexandria, VA 22314

PATENT APPLICATION
(NEW)

Atty Docket No.: 293095-004

Enclosed for filing herewith is the National Phase Entry of International Application PCT/1100/00013, filed 2-16-2000

Applicant(s): Debasis BHATTACHARYA et al.

For:

A MULTI STAGE SELECTIVE CATALYTIC CRACKING
PROCESS AND A SYSTEM FOR PRODUCING HIGH YIELD...

The PTO stamp hereon acknowledges receipt of:

- ☒ International Publication WO 01/60951 of International Application PCT/1100/00013
☒ PTO Form 1390 ☒ Preliminary Amendment
☐ Assignment w/PTO-1595 ☒ Information Disc. Stmt./refs.
☐ Petition to Revive Unintentionally Abandoned Application
☐ Declaration/Power of Attorney ☐ Executed ☐ Unexecuted
☐ Sheets of Drawings -- ☐ Formal ☐ Informal
☐ Verified Translation of International Application
☐ Credit Card \$ _____
☐ Charge to Deposit Account No. _____

x Sub. Spec.

Check No. 5238 \$ 1,130.⁰⁰

Filed by: MGG/emp

Date: 9/28/01

JC20 Rec'd PCT/PTO SEP 28 2001
09/937850

LOWE, HAUPTMAN GILMAN & BERNER - 1700 Diagonal Road, Suite 310, Alexandria, VA 22314

PATENT APPLICATION
(NEW)

Atty Docket No.: 203095-004
Enclosed for filing herewith is the National Phase Entry of International Application PCT/IN00/00013, filed 2-16-2000
Applicant(s): Debasis BHATTACHARYA et al.

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☒ International Publication WO 01/60951 of International Application PCT/IN00/00013
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☐ Petition to Revive Unintentionally Abandoned Application
☐ Declaration/Power of Attorney ☐ Executed ☐ Unexecuted
☐ Sheets of Drawings -- ☐ Formal ☐ Informal
☐ Verified Translation of International Application
☐ Credit Card \$ _____
☐ Charge to Deposit Account No. _____

Check No. 5238 \$ 1,130.⁰⁰

Filed by: MGG/temp

Date: 9/28/01



5238

LOWE HAUPTMAN GILMAN BERNER, LLP

1700 DIAGONAL RD STE 310
ALEXANDRIA, VA 22314-2848

65-270/550

PAY
TO THE
ORDER OF

U.S. PATENT & TRADEMARK OFFICE

DATE 9-28-01

\$ 1,130.00

One Thousand One Hundred Thirty and 00/100

DOLLARS

SUNTRUST

SunTrust Bank

FOR PCT Application

Michael J. Gilman

⑈00005238⑈ ⑆055002707⑆ 202679020⑈

MP